REMARKS

The Examiner, in a very cursory manner, has rejected the entire application under 35 USC 102(e) based on U.S. Pat. No. 6,456,234 B1 to Johnson (hereinafter "Johnson"). It is applicant's belief that the examiner has completely mischaracterized and misinterpreted the Johnson reference as it is applied to the present invention.

The present invention enhances the missing person "Amber Alert" notification system by incorporating mobile phone messaging as an additional means for disseminating Amber Alert notifications to mobile phone users in the general public. The present invention further allows mobile phone users that receive an Amber Alert notification message to reply to the Amber Alert notification to help locate a missing or abducted individual.

The elements/steps claimed in the present invention call for a mobile phone to receive a public service message (i.e., Amber Alert) that was disseminated to a large number of mobile phone subscribers from a centralized source like one or more carrier networks working in conjunction with a law enforcement agency. Should a mobile phone user have information of value, the mobile phone can then automatically compose a response to the public service message that contains helpful information regarding the missing or abducted individual. The reply message, at a minimum, includes a header portion containing contemporaneous information like time, date, and perhaps location of the sending mobile phone. The reply message may also contain additional user supplied information such as a brief description of what was witnessed or even a picture if the mobile phone is camera equipped. The message is then automatically sent back to the original sender of the Amber Alert notification so that it can be processed in hopes of locating the missing or abducted individual.

The cited prior art of Johnson is directed towards the transmission of situational location dependent information from a server data processing system (SDPS) to a receiving data processing system (RDPS) that can include a mobile phone. In Johnson, a candidate delivery event associated with a current positional attribute of the receiving data processing system is recognized and a situational location of the remote data processing system is determined. *Johnson at Abstract.* Johnson automatically determines when content should be delivered and then automatically and proactively delivers it. *Johnson at col. 4 lines 36 - 38.*

Johnson depends on positional location of a mobile phone (RDPS) to trigger a candidate delivery event which is typically the "pushing" of an advertisement to the RDPS from a server (SDPS) in communication with the RDPS. Johnson is a one-way communication system in that the RDPS does not and can not respond to "pushed" messages. This is in stark contrast to the intent and claims of the present invention which provide a means of feedback to the original sender of an Amber Alert message so as to quickly and efficiently provide clues or tips regarding a missing or abducted individual.

The Examiner, in referring to independent claims 1 and 8, states that Johnson discloses in the receiving data processing system (RDPS) and the *Summary of the Invention*, the receiving of a public text message (Amber Alert; col. 3 , lines 51-62, with respect to header and data portions, see Figs. 7A-9D).

Johnson does mention that a public service message (e.g., Amber Alert) can be "pushed" to an RDPS from a server (SDPS) as an example use for his invention. However, the constraints of Johnson still apply, namely, a situational location RDPS that is incapable of responding to the message directly. Thus, the application of Johnson to a header and data portion in a response message is completely inaccurate since the present invention applies the header and data portion

to the reply message and not the original Amber Alert message. Johnson's header and data portions are clearly restricted to the pushed message that was sent from the SDPS to the RDPS and can not be interpreted to read on the present invention since Johnson never contemplates responding to a pushed message including an Amber Alert message. Johnson is a one-way content delivery system.

As applied to independent claims 1 and 8, applicant submits that Johnson does not in fact disclose each and every step or element of the presently claimed invention. Claim 1 of the presently claimed invention recites:

> *1. A text messaging based alert notification and feedback method comprising:*
>
> > *receiving a public service text message that was broadcast to a large number of mobile subscribers;*
> > *automatically generating a reply message to said public service text message wherein said reply message contains a header portion and a data portion; and*
> > *automatically sending said reply message to the sender of the public service text message.*

The transmission of situational location dependent information from a server data processing system (SDPS) to a mobile phone as disclosed in Johnson is not the same or equivalent to *receiving a public service text message that was broadcast to a large number of mobile subscribers* since Johnson is location dependent with respect to the RDPS meaning that the transmission of Johnson is not made to a large number of mobile subscribers. Nor is the present invention dependent on or restricted by the location of the receiving mobile phone.

It is also clear that Johnson does not explicitly or implicitly disclose *automatically generating a reply message* or *automatically sending the reply message* since Johnson does not compose or send any sort of reply message as it is a one-way communication system. The present invention can automatically generate and send a reply message that includes header and data portions. The header and data portions in Figures 7A-9D of Johnson simply do not relate to a reply message from the mobile phone (RDPS), they relate to a data record with a content database. *See, Johnson for example at col. 13 lines 16-64.*

Claims 2-7 recite features which further patentably distinguish the present invention over Johnson. Additionally, these claims depend, either directly or indirectly, from independent claim 1 and by virtue of dependency, contain all the features of independent claim 1.
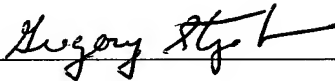
Similarly, claims 9-14 recite features which further patentably distinguish the present invention over Johnson. Additionally, these claims depend, either directly or indirectly, from independent claim 8 and by virtue of dependency, contain all the features of independent claim 8.

Based on the foregoing, applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. §102(e) rejection of claims 1 - 14.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

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